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EXAMINER	
SHAAWAT, MUSSA A	

ART UNIT	PAPER NUMBER
3627	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 09/921,141	Applicant(s) KIKUCHI ET AL.	
	Examiner Mussa A. Shaawat	Art Unit 3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 21-43 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21-43 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to the Amendment received on May 29, 2007. Claims 1-20 have been cancelled. Claims 21, 24 and 32 have been amended. Claims 21-43 are pending examination.

Claim Objections

2. Claims 21, 24 and 32 are objected to because of the following informalities: It is not clear to the examiner whether the limitations are open-ended i.e. comprising of or close-ended i.e. consisting of, the preamble does not indicate whether the limitations are open-ended or close-ended. Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 21-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakakibara et al., US Patent No. 6,476,728 referred to hereinafter as Sakakibara in view of official notice.
5. As to claim 21, Sakakibara teaches An information electric appliance renting system in which a service providing company rents to each of a plurality of different individual contractors at least one information electric appliance based upon contracts

between the service providing company and the plurality of different individual contractors (see col.3, lines 55-64),

Wherein the at least one information electric appliances enables sending of data indicative of at least electric power consumed thereby to a rent managing server of the service providing company through a communication line (see col.5, lines 23-33, col.6 lines 48-63) and also enables receipt from the rent managing server of data relating to rent for the at least one information electric appliance which includes an amount corresponding to the electric power consumed thereby (see col. 7 lines 55-60).

Sakakibara does not expressly teach sending data indicative of at least electric power consumed *for each information electric appliance*, Sakakibara does teach a device (see fig. 2 block 21), which monitors power consumed by a plurality of electric appliance (see at least col. 5 lines 23-33). It would have been obvious to one of ordinary skill in the art to modify Sakakibara to include sending data indicative of at least electric power consumed for each information electric appliance in order to allow the employer to monitor the power consumed by each electric appliance.

Although Sakakibara teaches computing the electrical charges/cost based on the consumption of the plurality of electric appliance's and these charges are being transmitted from the management computer to the personal computer in the home office, allowing each home worker to ascertain the computed electric charges (see col.7 lines 55-60), Sakakibara however does not expressly teach the service providing company receives from a plurality of different individual contractors payment of the rent and pays to an electric power company an amount corresponding to the total consumed

electric power of all of the rented information electric appliances of the plurality of different individual contractors i.e. a service providing company receiving rent from a plurality of contractors and pays the electric power company.

The examiner takes official notice that a service providing company-receiving rent from a plurality of contractors or a third-party/middle-man collecting fees for services offered and paying the electric power company is well known and old in the art. Therefore it would have been obvious to one of ordinary skill in the art to modify Sakakibara to include a service providing company, receiving rent from a plurality of contractors and paying the electric power company because doing so would alleviate direct interactions with the plurality of consumers or contractors by delegating a "a third-party/middle-man" to administer and collect fee's on behalf of the electric power company.

As to claim 22, Sakakibara teaches an information electric appliance renting system according to claim 21, wherein the service providing company contracts with the electric power company to pay for electric power consumed by the rented information electric appliances of the different individual contractors based upon rates for the total consumed electric power of the rented information electric appliances of the plurality of different individual contractors (see col.7, lines 40-60).

6. As to claim 23, Sakakibara teaches an information electric appliance renting system according to claim 21, wherein the data sent by the at least one information electric appliance to the rent managing server further includes information relating to at

least one of manufacture and use of the at least one information electric appliance (col.6 lines 47-67).

7. As to claims 24, claim 24 contains similar limitations as claim 21; therefore, it is rejected under the same rationale.

8. As to claims 25, claim 25 contains similar limitations as claim 22; therefore, it is rejected under the same rationale.

9. As to claims 26, claim 26 contains similar limitations as claim 23; therefore, it is rejected under the same rationale.

10. As to claim 27, Sakakibara teaches An information electric appliance renting system according to claim 26, wherein the at least one information electric appliance of respective individual contractors include at least one first information electric appliance which is connected to the Internet, and a second information electric appliance which is connected to said first information electric appliance through a communication line (see col.7 lines 65-col.8 lines 9).

11. As to claim 28, Sakakibara teaches an information electric appliance renting system according to claim 26, wherein the rent managing server arithmetically determines the consumed electric power rate of the leased information electric appliances for the electric power company which supplies electric power to the rented information electric appliances, and enables supplying the electric power company with data relating to the consumed electric power rate through a communication network (see col.6 lines 48-67).

12. As to claim 29, Sakakibara teaches an information electric appliance renting system according to claim 26, wherein the at least one information electric appliance of respective individual contractors include a first information electric appliance which is connected to the rent managing server of said service providing company through a communication network and a second information electric appliance which is connected to the first information electric appliance through a communication line (see col.3 lines 55-col.4 line 6).

13. As to claim 30, Sakakibara teaches An information electric appliance renting system according to claim 29, wherein the first information electric appliance enables display thereon of the data relating to the other information the consumed electric power rates of the first and second information electric appliances (see col.7, lines 13-25).

14. As to claim 31, Sakakibara teaches an information electric appliance renting system according to claim 29, wherein the first information electric appliance enables maintenance diagnosis or replacement diagnosis of the second information electric appliance, which is connected to the first information electric appliance through the communication line col.8 lines 35-54.

15. As to claims 32-43, they contain similar limitations as above; therefore, they are rejected under the same rationale.

Response To Arguments

16. Applicant's arguments have been considered but are not persuasive. In particular applicant argues that Sakakibara does not teach or disclose each electronic component sending power consumption data individually.

In response, it is noted that the feature upon which applicant relies "*each electronic component sending power consumption individually*" is not recited in the claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Further, the examiner notes that the applicant stated on page 11 of the remarks dated May 29, 2007, "that an exemplary object of this invention, as shown for illustrative purposes in Fig.1, is to *provide an electric appliance renting system capable of reducing the life cycle cost of an appliance (e.g., 31, 32, 33) such as the initial cost required for purchase of the appliance, the work cost and the scrapping, or disposal cost*". This statement has not been recited in the claims.

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Contact Information

18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mussa A. Shaawat whose telephone number is 571-272-2945. The examiner can normally be reached on Mon-Fri (8am-5:30pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Mussa Shaawat
Examiner
June 18, 2007

A handwritten signature in black ink, appearing to read "F. Zeender", followed by a date "6/19/07" written vertically.

F. RYAN ZEENDER
SUPERVISORY PATENT EXAMINER